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5  
6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF NEVADA

8 \* \* \*

9 UNITED STATES OF AMERICA,

2:09-cr-00174-JCM-GWF

10 Plaintiff,

**PROPOSED ORDER**

11 vs.

12 RUSSELL PIKE,

13 Defendants.  
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15 The United States files a proposed order for defendant's Motion for Bond Pending Appeal.

16 RESPECTFULLY SUBMITTED this 6<sup>th</sup> day of September, 2012.

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18 DANIEL BOGDEN,  
United States Attorney

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20 /s/  
NICHOLAS D. DICKINSON  
21 TIMOTHY S. VASQUEZ  
Assistant United States Attorneys  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,

2:09-cr-00174-JCM-GWF

Plaintiff,

vs.

RUSSELL PIKE


**ORDER**

Defendant.

THIS MATTER COMES BEFORE THE COURT on the defendant Russell Pike's Motion for Bond Pending Appeal. [**Docket No. 193**]. Having considered defendant's motion, the government's response [**Docket No. 195**], and defendant's reply [**Docket No. 196**], and having heard arguments of counsel on the matter on September 4, 2012, the Court finds the following: Defendant has established by clear and convincing evidence that he is not likely to flee or pose a danger to the safety of any other person or the community. Defendant has not shown that his appeal will raise a substantial question of law or fact likely to result in reversal, an order for a new trial, a sentence that does not include a term of imprisonment, or a reduced sentence to a term of imprisonment less than the total of the time already served plus the expected duration of the appeals process.

**THEREFORE** defendant's Motion for Bond Pending Appeal is denied and defendant is continued on present terms of release until the time of his self-surrender date on Tuesday, December 4, 2012, at 12:00 p.m.

**SO ORDERED** this 10th day of September, 2012.

  
The Honorable James C. Mahan  
United States District Court Judge

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